DEC 14 2006 W

Thw

PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/730,210
Filing Date	December 8, 2003
First Named Inventor	Marc Richelsoph
Art Unit	3733
Examiner Name	Richard R. Shaffer
Attorney Docket No.	BBM-141US2

ENCLOSURES (Check all that apply)									
Fee Trans	mittal For Attached			Drawing(s) Licensing-related	l Papers		After Allowance Communication to TC		
	r Final	claration(s)		Petition Petition to Conve			Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
Extension Express A		Request		Power of Attorne Change of Corre Address	• •		Proprietary Information Status Letter		
		ure Statement		Terminal Disclair		\boxtimes	Other Enclosure(s) (please identify below): Election Requirement, Return Receipt		
Certified Copy of Priority Document(s)			Rema		D(s) Table on CD		Postcard		
Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53									
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT									
Firm Name RatnerPrestia Signature St. M. Glenn M. Massina									
Date	December 11, 2006 Registration No. 40,081						081		
CERTIFICATE OF TRANSMISSION / MAILING									
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:									
Signature (Le Rinto)									
Typed or Printed Name Anne Pinto			0			Date	December 11, 2006		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BBM-141US2

Appln. No.: 10/730,210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ópln. No:

10/730,210

Applicant:

Marc Richelsoph et al.

Filed:

December 8, 2003

Title:

BONE PLATE AND SCREW RETAINING MECHANISM

TC/A.U.:

3733

Examiner:

Confirmation No.:

Richard R. Shaffer

2079

Docket No.:

BBM-141US2

RESPONSE TO ELECTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is in response to the Election Requirement stated in the Office Letter dated November 17, 2006.

The Examiner requires an election of species be elected for prosecution. Applicants elect to prosecute Species I, Figure 2A, of the first group, Species I, Figure 3A, of the second group, Species I, Figure 5, of the third group, and the species with an insert in the fourth group. Applicants respectfully submit that claims 1-4, 15, 16 and 61-63 are generic and that claims 5-8, 10-12, 17 and 21 read on the elected species. This election is made without traverse.

Respectfully submitted,

Jonathan H. Spadt, Reg. No. 45,122 Glenn M. Massina, Reg. No. 40,081

Attorneys for Applicants

JHS/GMM/ap

Dated: December 11, 2006

☑ P.O. Box 980 Valley Forge, PA 19482 P.O. Box 1596

Wilmington, DE 19899

(610) 407-0700

(302) 778-2600

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450 on: